



PATENT
Customer No. 22,852
Attorney Docket No. 09367.0084

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Gustave BERGNES <i>et al.</i>)	Group Art Unit: 1624
)	
Application No.: 10/626,012)	Examiner: Tamthom Ngo TRUONG
)	
Filed: July 23, 2003)	
)	
For: COMPOUNDS, COMPOSITIONS, AND METHODS)	Confirmation No.: 9951
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim

in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

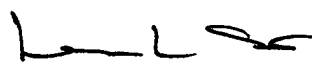
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

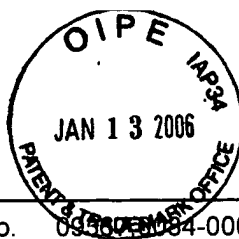
If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: January 13, 2006

By: 
Lauren L. Stevens
Reg. No. 36,691



OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	093606084-00000	Appln. No.	10/626,012
Applicants	Gustave BERGNES <i>et al.</i>		
Filing Date	July 23, 2003	Group:	1624

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
1.		4,859,670	08/22/89	Kampe et al.			
2.		5,342,944	08/30/94	Mohan et al.			
3.		5,939,421	08/17/99	Palanki et al.			
4.		6,156,758	12/05/00	Kung et al.			
5.		6,794,379 B2	09/21/04	Medina et al.			
6.		6,245,768	06/12/01	He et al.			
7.		2002-0198326 A1	12/26/02	Aoyama et al.			
8.		2003-0139457 A1	07/24/03	Baxter et al.			
9.		6,562,831 B1	05/13/03	Finer et al.			
10.		6,630,479 B1	10/07/03	Finer et al.			
11.		6,831,085 B1	12/14/04	Bergnes et al.			
12.		6,753,428 B2	06/22/04	Bergnes et al.			
13.		2004/0192913 A1	09/30/04	Bergnes et al.			
14.		2004/0023996 A1	02/05/04	Finer et al.			
15.		2004/0082567 A1	04/29/04	McDonald et al.			
16.		2004/0077668 A1	04/22/04	Feng et al.			
17.		2004/0142949 A1	07/22/04	Bergnes et al.			
18.		2004/0048853 A1	03/11/04	Bergnes			
19.		2004/0116438 A1	06/17/04	Lu et al.			
20.		2004/0242596 A1	12/02/04	Kim et al.			
21.		2004/0259826 A1	12/23/04	Fraley et al.			
22.		2005/0152940 A1	07/14/05	Hezi-Yamit et al.			
23.		2005/0209254 A1	09/22/05	Wang et al.			

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

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U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
24.	2005/0059823 A1	03/17/05	McNaughton-Smith et al.			
25.	2004/0198724 A1	10/07/04	McNaughton-Smith et al.			
26.	2003/0119854 A1	06/26/03	Schall et al.			
27.	6,214,879 B1	04/10/01	Abraham et al.			
28.	6,518,277 B1	02/11/03	Sadhu et al.			
29.	6,596,723 B1	07/22/03	Watkins et al.			
30.	3,846,549	11/05/74	Mentrup et al.			
31.	4,670,560	06/02/87	Press et al.			
32.	2003/0096813 A1	05/22/03	Cao et al.			
33.	2005/0209254 A1	09/22/05	Wang et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
1.	0 373 891A2	06-20-1990	Europe			
2.	1 174 430 A1	01-23-2002	Europe			
3.	62-135473	06-18-1987	Japan			Abstract
4.	06049070 A2	02-22-1994	Japan			Abstract
5.	WO 93/23404 A1	11-25-1993	WIPO			
6.	WO 95/16682 A1	06-22-1995	WIPO			
7.	WO 96/39403 A1	12-12-1996	WIPO			
8.	WO 98/29410 A1	07-09-1998	WIPO			
9.	WO 01/95884 A2	12-20-2001	WIPO			

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10.	WO 02/14319 A2	02-21-2002	WIPO			
11.	WO 03/027234 A2	04-03-2003	WIPO			
12.	WO 03/079973 A2	10-02-2003	WIPO			
13.	WO 03/099211 A2	12-04-2003	WIPO			
14.	WO 03/105855 A1	12-24-2003	WIPO			
15.	WO 03/106417 A1	12-24-2003	WIPO			
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17.	WO 2004/039774 A2	05-13-2004	WIPO			
18.	JP 06-148835	05-27-1994	Japan			Abstract
19.	WO 03/043995 A1	05/30/03	WIPO			
20.	WO 01/98278 A1	12/27/01	WIPO			
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23.	WO 03/094839 A2	11/20/03	WIPO			
24.	WO 03/070701 A2/A3	08/28/03	WIPO			
25.	WO 2004/009036 A2	01/29/04	WIPO			
26.	WO 2004/034972 A2	04/29/04	WIPO			
27.	WO 2004/018058 A2	03/04/04	WIPO			
28.	WO 03/103575 A2	12/18/03	WIPO			
29.	WO 02/09713 A2/A3	02/07/02	WIPO			
30.	WO 03/035077 A1	05/01/03	WIPO			
31.	WO 03/035076 A1	05/01/03	WIPO			
32.	WO 99/20298 A1	04/29/99	WIPO			

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33.	WO 93/20055 A1	10/14/93	WIPO			
34.	WO 96/28430 A1	09/19/96	WIPO			
35.	WO 95/19169 A2	07/20/95	WIPO			
36.	EP 0 509 643 A1	10/21/92	Europe			
37.	JP 10/259176	09/29/98	Japan			¶'s 1-2, 5-6, 380-382, and all table headings
38.	WO 93/19051 A1	09/30/93	WIPO			
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42.	WO 03/043961 A2	05/30/03	WIPO			
43.	WO 03/084544 A2	10/16/03	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)

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1.	West, "Solid State Chemistry and it's Applications," Wiley, New York, 1988, pages 358 & 365.
2.	Office Action mailed May 7, 2001, for U.S. Patent Application No. 09/699,047, filed October 24, 2000.
3.	Office Action mailed April 24, 2002, for U.S. Patent Application No. 09/699,047, filed October 24, 2000.
4.	Office Action mailed February 6, 2002, for U.S. Application No. 09/724,644, filed November 28, 2000.
5.	Office Action mailed October 21, 2002, for U.S. Application No. 09/724,644, filed November 28, 2000.
6.	Office Action mailed February 6, 2002, for U.S. Application No. 09/724,712, filed November 28, 2000.
7.	Office Action mailed April 9, 2002, for U.S. Application No. 09/724,713, filed November 28, 2000.

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8.	Office Action mailed October 21, 2002, for U.S. Application No. 09/724,713, filed November 28, 2000.
9.	Office Action mailed March 22, 2002, for U.S. Application No. 09/724,897, filed November 28, 2000.
10.	Office Action mailed December 17, 2002, for U.S. Application No. 09/724,897, filed November 28, 2000.
11.	Office Action mailed July 11, 2003, for U.S. Application No. 09/724,897, filed November 28, 2000.
12.	Office Action mailed May 12, 2004, for U.S. Application No. 09/724,897, filed November 28, 2000.
13.	Office Action mailed July 26, 2002, for U.S. Application No. 09/724,941, filed November 28, 2000.
14.	Office Action mailed January 13, 2003, for U.S. Application No. 09/724,941, filed November 28, 2000.
15.	Office Action mailed January 7, 2004, for U.S. Application No. 09/724,941, filed November 28, 2000.
16.	Office Action mailed July 3, 2002, for U.S. Application No. 09/724,778, filed November 28, 2000.
17.	Office Action mailed December 27, 2002, for U.S. Application No. 09/724,778, filed November 28, 2000.
18.	Office Action mailed August 8, 2003, for U.S. Application No. 09/724,778, filed November 28, 2000.
19.	Office Action mailed December 29, 2003, for U.S. Application No. 09/724,778, filed November 28, 2000.
20.	Office Action mailed March 30, 2004, for U.S. Application No. 09/724,778, filed November 28, 2000.
21.	Office Action mailed June 25, 2004, for U.S. Application No. 09/724,778, filed November 28, 2000.
22.	International Search Report mailed February 22, 2001, for PCT Application No. PCT/US00/29585, filed October 26, 2000.
23.	Written Opinion mailed September 21, 2001, for PCT Application No. PCT/US00/29585, filed October 26, 2000.
24.	International Preliminary Examination Report mailed January 17, 2002, for PCT Application No. PCT/US00/29585, filed October 26, 2000.
25.	Office Action mailed August 8, 2003, for U.S. Application No. 10/300,967, filed November 20, 2002.
26.	International Search Report mailed February 7, 2003, for PCT Application No. PCT/US02/37410, filed November 20, 2002.

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27.	Written Opinion mailed September 9, 2003, for PCT Application No. PCT/US02/37410, filed November 20, 2002.
28.	International Preliminary Examination Report mailed August 11, 2004, for PCT Application No. PCT/US02/37410, filed November 20, 2002.
29.	International Search Report mailed October 31, 2001, for PCT Application No. PCT/US01/13901, filed April 27, 2001.
30.	International Search Report mailed October 17, 2003, for PCT Application No. PCT/US03/18778, filed June 12, 2003.
31.	Office Action mailed October 18, 2004, for U.S. Application No. 10/462,002, filed June 12, 2003.
32.	Written Opinion mailed March 2, 2004, for PCT Application No. PCT/US03/18778, filed June 12, 2003.
33.	International Preliminary Examination Report mailed September 8, 2004, for PCT Application No. PCT/US03/18778, filed June 12, 2003.
34.	International Search Report and Written Opinion mailed December 6, 2004, for PCT Application No. PCT/US04/01279, filed January 20, 2004.
35.	International Search Report mailed August 29, 2003, for PCT Application No. PCT/US03/14787, filed May 9, 2003.
36.	Written Opinion mailed June 10, 2004, for PCT Application No. PCT/US03/14787, filed May 9, 2003.
37.	International Preliminary Examination Report mailed November 16, 2004, for PCT Application No. PCT/US03/14787, filed May 9, 2003.
38.	International Search Report mailed July 16, 2004, for PCT Application No. PCT/US03/13627, filed May 2, 2003.
39.	Office Action mailed November 2, 2004, for U.S. Application No. 10/366,828, filed February 14, 2003.
40.	International Search Report mailed August 12, 2003, for PCT Application No. PCT/US03/04713, filed February 14, 2003.
41.	Written Opinion mailed June 24, 2004, for PCT Application No. PCT/US03/04713, filed February 14, 2003.
42.	International Preliminary Examination Report mailed December 8, 2004, for PCT Application No. PCT/US03/04713, filed February 14, 2003.

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Examiner Initial*	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)	
43.		International Search Report mailed July 9, 2004, for PCT Application No. PCT/US03/23319, filed July 23, 2003.
44.		International Preliminary Examination Report mailed September 30, 2004, for PCT Application No. PCT/US03/23319, filed July 23, 2003.
45.		International Search Report mailed May 20, 2004, for PCT Application No. PCT/US03/26093, filed August 20, 2003.
46.		International Preliminary Examination Report mailed August 5, 2004, for PCT Application No. PCT/US03/26093, filed August 20, 2003.
47.		Office Action mailed January 4, 2005, for U.S. Application No. 10/444,283, filed May 22, 2003.
48.		International Search Report mailed December 18, 2003, for PCT Application No. PCT/US03/16500, filed May 22, 2003.
49.		International Preliminary Examination Report mailed June 23, 2004, for PCT Application No. PCT/US03/16500, filed May 22, 2003.
50.		Bergnes <i>et al.</i> , "Compounds, Compositions, and Methods," U.S. Patent Application No. 10/980,627, filed November 2, 2004.
51.		Bergnes <i>et al.</i> , "Compounds, Compositions, and Methods," U.S. Patent Application No. 10/982,195, filed November 5, 2004.
52.		Bergnes, "Compounds, Compositions, and Methods," U.S. Patent Application No. 11/005,629, filed December 7, 2004.
53.		Written Opinion mailed September 24, 2004, for PCT Application No. PCT/US02/41309, filed December 20, 2002.
54.		International Search Report mailed October 12, 2004, for PCT Application No. PCT/US03/30788, filed September 30, 2003.
55.		Office Action mailed February 7, 2005, for U.S. Application No. 10/435,069, filed May 8, 2005.
56.		International Preliminary Examination Report mailed January 28, 2005, for PCT Application No. PCT/US03/30788, filed September 30, 2003.
57.		Office Action mailed April 27, 2005, for U.S. Application No. 10/429,195, filed May 2, 2003.
58.		International Preliminary Examination Report mailed May 9, 2005, for PCT Application No. PCT/US03/13627, filed May 2, 2003.

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59.	International Search Report and Written Opinion mailed April 28, 2005, for PCT Application No. PCT/US04/36253, filed November 2, 2004.
60.	International Search Report and Written Opinion mailed June 14, 2005, for PCT Application No. PCT/US04/36853, filed November 5, 2004.
61.	Sauter et al., CAPLUS Abstract No. 87:84931 (1977).
62.	Uchida et al., CAPLUS Abstract No. 81:152142 (1974).
63.	Yamada et al., CAPLUS Abstract No. 134:252363 (2001).
64.	Matsuoka et al., CAPLUS Abstract No. 133:150920 (2000).
65.	Nugent et al., CAPLUS Abstract No. 123:143921 (1995).
66.	De Melo et al., CAPLUS Abstract No. 117:143023 (1992).
67.	Irikura et al., CAPLUS Abstract No. 105:42834 (1986).
68.	Kyorin Pharmaceutical Co., Ltd., CAPLUS Abstract No. 103:87901 (1985).
69.	Shuto et al., CAPLUS Abstract No. 90:72134 (1979).
70.	Katagiri et al., CAPLUS Abstract No. 100:51536 (1984).
71.	Hegrand et al., CAPLUS Abstract No. 80:95873 (1974).
72.	Witkop et al., CAPLUS Abstract No. 75:77191 (1971).
73.	Office Action mailed June 24, 2005, for U.S. Application No. 10/773,602, filed February 6, 2004.
74.	Office Action mailed July 6, 2005, for U.S. Application No. 10/982,195, filed November 5, 2004.
75.	Gavezzotti "Are Crystal Structures Predictable" <i>Acc. Chem. Res.</i> 27:309-314 (1994)
76.	Wolff (ed.) <u>Burger's Medicinal Chemistry and Drug Discovery</u> , 5 th Edition Volume 1: Principles and Practice, John Wiley & Sons, New York, pp. 975-977 (1995)
77.	Banker et al. (eds.) <u>Modern Pharmaceuticals Third Edition, Revised and Expanded</u> , Marcel Dekker, Inc., New York, pp. 451 & 596 (1996)
78.	Coleman et al. "Inhibitors of the mitotic kinesin spindle protein" <i>Expert Opin. Ther. Patents</i> 14(12): 1659-1667 (2004)
79.	Li et al. "Discovery and development of antimitotic agents that inhibit tubulin polymerisation for the treatment of cancer" <i>Expert Opin. Ther. Patents</i> 12(11): 1663-1702 (2002)

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80.		Malik et al., "Compositions, Devices and Methods for Treating Cardiovascular Disease," U.S. Patent Application No. 11/147,406, filed June 7, 2005.
81.		International Search Report and Written Opinion mailed October 21, 2005, for PCT Application No. PCT/US05/19791, filed June 7, 2005.
82.		Franco et al., "Functional association of retinoic acid and <i>hedgehog</i> signaling in <i>Xenopus</i> primary neurogenesis," <i>Development</i> , 126: 4257-4265 (1999)
83.		Gaffield et al., "A Looking Glass Perspective: Thalidomide and Cyclopamine," <i>Cellular and Molecular Biology</i> , 45(5): 579-588 (1999)
84.		Ghorab, "Synthesis of Some New Thiadiazole, Selena, Triazine, Thiazole and Cyanopyridine Derivatives with Assay for Their Antitumor Activity," <i>Phosphorus, Sulfur, and Silicon</i> , 112: 7-17 (1996)
85.		Gailani et al., "The role of the human homologue of <i>Drosophila patched</i> in sporadic basal cell carcinomas," <i>Nature Genetics</i> , 14: 78-81 (1996)
86.		Ghorab et al., "Synthesis and effect of some new [1,2,4]triazolo[4,3-a]quinazolin-5(4 <i>H</i>)-ones and related compounds on Ehrlich Ascites Carcinoma cells," <i>Acta Pharm.</i> , 49: 1-10 (1999)
87.		Jiang et al., "Synthesis and Biological Evaluation of 2-Styrylquinazolin-4(3 <i>H</i>)-ones, a New Class of Antimitotic Anticancer Agents Which Inhibit Tubulin Polymerization," <i>J. Med. Chem.</i> , 33: 1721-1728 (1990)
88.		Smith et al., "Effects of Gastrin, Proglumide, and Somatostatin on Growth of Human Colon Cancer," <i>Gastroenterology</i> , 95: 1541-1548 (1988)
89.		"Signal Transduction," from the <u>Dictionary of Biology</u> , Penguin Books, Ninth Edition reprinted with minor revisions, pp. 574-575 (1995)
90.		"Hyper-," from <u>The British Medical Dictionary</u> , Caxton, p. 706 (circa 1961)
91.		"Inhibit," from <u>The British Medical Dictionary</u> , Caxton, p. 747 (circa 1961)
92.		Ghosh, "Quinazolines. Part I.," <i>J. Indian Chemical Society</i> , XIV: 411-413 (1937).
93.		Mayer et al., "Small Molecule Inhibitor of Mitotic Spindle Bipolarity Identified in a Phenotype-Based Screen," <i>Science</i> , 286: 971-974 (1999).
94.		Tortora et al., "Oral Administration of a Novel Taxane, an Antisense Oligonucleotide Targeting Protein Kinase A, and the Epidermal Growth Factor Receptor Inhibitor Iressa Causes Cooperative Antitumor and Antiangiogenic Activity," <i>Clinical Cancer Research</i> , 7: 4156-4163 (2001).

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95.		Guo et al., "Overexpression of Bax Enhances Antitumor Activity of Chemotherapeutic Agents in Human Head and Neck Squamous Cell Carcinoma," <i>Clinical Cancer Research</i> , 6: 718-724 (2000).
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